

On November 13, 1998, Ecology's Spill Response Team personnel responded to a call from the homeowner adjacent to the Site regarding gasoline vapors in his home and possible gasoline product seeping through the rock wall in his basement. Ecology initiated an emergency investigation to determine the source of the petroleum. The four USTs were checked for residual product, which was pumped out by an Ecology contractor.

During the emergency response, a test pit was dug at the Site just north of the 10,000-gallon diesel UST and the 12,000-gallon unleaded gasoline UST. Another test pit was excavated directly north of the Priceless Gas pit at the south edge of the resident's property.

CONTAMINANTS OF CONCERN

Analytical results of the soil samples obtained from each of the excavations confirmed diesel and gasoline contamination above MTCA Method A Cleanup levels for total petroleum hydrocarbons (TPH) and gasoline constituents benzene, toluene, ethylbenzene and xylenes (BTEX).

Following the emergency response the UST system was decommissioned and contaminated soil was excavated. Soil samples obtained from each of the excavations during the decommissioning identified TPH and BTEX contamination above MTCA Method A Cleanup levels, confirming a release(s) from the UST system. Petroleum contaminated soil removed during these actions was disposed of at an off-site facility.

Two monitoring wells were installed at the residential property. Ground water samples obtained from the monitoring wells identified TPH and BTEX contamination above MTCA Method A Cleanup levels.

The site is located within a commercial development corridor along Highway 2, which forms the southern boundary of the site. Adjacent property owners include residential development to the north and east of the site and Inland Power and Light office and yard along the west boundary of the site.

Actions have been taken to clean up the Site and are outlined in Section II, Statement of Facts in the Enforcement Order No. DE-99-TC-E102 located in Appendix B of this Public Participation Plan.

SITE CLEANUP PROCESS

Enforcement Order

The cleanup process for the Priceless Gas Site began in June of 1999. An Enforcement Order was issued by the Department of Ecology to assist the Potentially Liable Parties

(PLPs) in focusing on a specific cleanup action. The Order required the PLPs to conduct a Remedial Investigation along with a Feasibility Study.

Remedial Investigation/Feasibility Study (RI/FS)

The purpose of the *Remedial Investigation/Feasibility Study* (RI/FS) is to collect, develop and evaluate information regarding petroleum contamination in affected areas on and off site. The RI defines the type, extent and degree of soil and ground water contamination and the impacts to the affected areas. The FS identifies, evaluates and proposes alternative cleanup actions. The completed RI/FS report, dated April 9, 2001, documents the investigation and findings.

The RI concludes, in part, that petroleum contamination as gasoline and to a lesser extent, diesel, impacts the soil and groundwater at this Site. The petroleum contamination is the result of a release(s) from the UST system. The investigation also indicates that contamination from this site is responsible for the gasoline-contaminated groundwater that impacted the adjacent residence in 1998.

The RI also found that groundwater contamination has migrated off-site as evidenced by dissolved gasoline constituents in two hydraulically downgradient monitoring wells (MW-4 and MW-6). Cottonwood Creek, located approximately 500 feet north and downgradient of the site has apparently not been impacted as evidenced by groundwater samples taken from MW-10 located adjacent to the creek (refer to the Site Map on page 3).

Gasoline, as free-phase product, was found in an upgradient monitoring well (MW-3), suggesting an off-site source may be a contributor to the groundwater contamination. The former Corner Express (Texaco), located immediately to the south and apparently upgradient seemed a likely source. However, a subsequent analysis of the gasoline found in MW-3 identified characteristics significantly different than what was found at either the Corner Express of the Priceless Gas site. It is possible that the product in this well may have originated from an as yet unidentified source. Utility lines (including water and sewer lines) are located within 20 feet of this well. These represent a potential transport pathway for an as yet unidentified source of contamination, and there has been a history of leaks and repairs of these lines. Regardless, the gasoline found in monitoring well MW-3 apparently affects a very limited area and does not appear to be the result of an active source.

Final Cleanup Action Plan

A Final Cleanup Action Plan (FCAP) was completed in June 2003 as part of the process that documents the progress of a site investigation and cleanup. The cleanup actions selected by Ecology for implementation are based upon a review of the site investigation reports and the regulatory requirements of MTCA. Cleanup standards for contaminated soil and groundwater are also established at points of compliance, which are strategically

selected locations within the affected or potentially affected area where cleanup levels must be met.

In summary, the selected final cleanup action for the Priceless Gas Site consists of the following elements. Final Cleanup Action is scheduled for completion in 2004:

- Soil removal (associated with construction); site grading/compaction;
- Product recovery sump at MW-3;
- Groundwater treatment (within trench along north property boundary);
- Backfilling of excavated areas with appropriate materials;
- Quarterly sampling and analysis of groundwater monitoring wells designated as points of compliance or performance monitoring points;
- Institutional controls – a restrictive covenant will be placed on the deed of this property to ensure that the potential exposure risk to contaminated soils is known and that site activities are considerate of these potential risks. The restrictive covenant will be removed when it has been demonstrated through sampling that soil and groundwater cleanup levels have been attained.

Other Investigations and Remedial Actions

The former Corner Express (Texaco) site, located southwest of the former Priceless Gas, was the subject of an Ecology emergency enforcement order in December 2000. This order was issued, in part, due to the discovery of free-phase gasoline in MW-3 and concerns with the status of the USTs at the Corner Express site. The order directed the owner of the site to provide for the emptying of the UST system; a complete inspection and testing of each UST system component and a site assessment. The Remedial Investigation / Feasibility Study was completed in 2002 and resulted in UST removal and a Final Cleanup Action was completed in 2003.

COMMUNITY BACKGROUND

Community Profile

The county seat for Lincoln County is located in the city of Davenport. Of some 3,500 persons employed in Lincoln County, one-third is employed in agriculture, while the remainder is employed by governmental agencies or in consumer services. Hunting, fishing, boating and sightseeing attract thousands of persons to this area annually. The major recreational feature is Coulee Dam National Recreation Area, which encompasses F.D. Roosevelt Lake, the reservoir behind Grand Coulee Dam. The incorporated population of Lincoln County has remained fairly stable over the past 60 or 70 years while the farm population has declined sharply accompanied by an increase in average farm size. Existing total Lincoln County population density is 4.1 persons per square mile with the unincorporated density at 1.6 persons per square mile. There are

approximately 3,360 households in Lincoln County and the average household size is 2.8 persons.

COMMUNITY INTERVIEWS

Community interviews are informal interviews held with selected individuals or small groups representing local residents, government officials, local businesses, the media, community groups and potentially liable persons. The purpose of the interview is to gather pertinent information that may be used during development of an effective public participation plan. An effective plan encourages citizen involvement and meets the special concerns of the community in relation to the Site. This process will also allow assessment of the scope of concern in the community.

During Remedial Investigation (RI) field activities, informal interviews and ongoing interactions have occurred with the Dehn family, Lincoln County Environmental Health, Ecology, and City of Davenport Public Works. A very small number of individuals have also passed by the site during field activities and asked questions about the work. Additionally, newspaper articles related to the site were obtained from the Davenport Times for review.

Community Concerns

Prior public notices for the Enforcement Order, RI/FS, and Cleanup Action resulted in limited comments. Responsiveness summaries were prepared and are provided in Appendix B. The community, in general, is apparently most concerned about the direct impacts the site release has had on the Dehn family and the length of time it has taken to conduct cleanup activities and return the area to normal conditions. Pre-RI remediation activities, related to excavation and decommissioning of the USTs, created some safety concerns about the condition of the site at the time (unsecured, water-filled excavation and vapors from excavated contaminated soils); however, there does not appear to be significant community interest (with the exception of the Dehn family) in the site remediation process, or potential risks to human health and the environment. The site surface is currently stabilized (all excavations filled and graded), which has also reduced the level of community concerns about the site. Final Cleanup Action construction activities during 2004 will likely generate some community interest and increased interaction and coordination with the Dehn family will be required for monitoring components.

PUBLIC PARTICIPATION ACTIVITIES AND TIMELINE

The following are public participation efforts, which have been made and will continue until the cleanup actions are completed:

A mailing list was developed of all individuals who reside within the potentially affected area of the Site. The potentially affected vicinity covers the Priceless Gas Site located at 1110 Morgan Street in the City of Davenport, Lincoln County, Washington. Homes and/or businesses within a few blocks radius of the Site were added to the mailing list. These persons will receive copies of all fact sheets developed regarding the cleanup process of the Site via first class mail. (Note: Addresses were taken directly from the exterior of the homes for the mailing of the fact sheet describing the Enforcement Order and initial cleanup process, however, several were returned due to a post office box only system of mailing. Post office boxes were identified for as many homes as possible and mailings resent. Some mailings were hand delivered.) Additionally, individuals, organizations, local, state and federal governments, and any other interested parties have been added to the mailing list. Other interested persons may request to be on the mailing list at any time by contacting Mike Boatsman or Carol Bergin at the Department of Ecology (see page 1 for addresses/phone and e-mail). Public Repositories have been established and documents may be reviewed at the following offices:

Davenport Public Library	Washington State Department of Ecology
411 Morgan	Eastern Regional Office
Davenport, WA	4601 North Monroe Street
(509) 725-4355	Spokane, WA 99205-1295
	(509) 329-3400

During each stage of cleanup fact sheets are created by Ecology and distributed to individuals on the mailing list. These fact sheets explain the stage of cleanup, the Site background, what happens next in the cleanup process and ask for comments from the public. A 30-day comment period allows interested parties time to comment on the process. The information from these fact sheets is also published in a Site Register, which is distributed to the public. Persons interested in receiving the Site Register should contact Sherrie Minnick of Ecology at (360) 407-7200 or email: shan461@ecy.wa.gov.

Display ads or legal notices are published in the Davenport Times to inform the general public. These notices correlate with the 30-day comment period and associated stage of cleanup. They are also used to announce public meetings and workshops or public hearings.

Public meetings, workshops, open houses and public hearings are held based upon the level of community interest. If ten or more persons request a public meeting based on the subject of the public notice, Ecology will hold a meeting and gather comments. The following facilities are located near the site where public meetings, open houses and/or hearings may be held:

- Cottonwood Inn
- Avista Utilities
- US Bank Building
- Memorial Hall

Written comments, which are received during the 30-day comment period will be responded to in a Responsiveness Summary. The Responsiveness Summary will be sent to those who make the written comments and will be available for public review at the Repositories.

Answering Questions From The Public

Individuals in the community may have questions they want to discuss to clarify the cleanup process. Page 1 lists the various contacts for the Priceless Gas Site. Interested persons are encouraged to contact these persons by phone or e-mail to obtain information about the Site, the process and potential decisions.

Public Notice and Comment Periods

Ecology conducted a public comment period for thirty days (June 25, 1999 through July 26, 1999) to collect input regarding the Enforcement Order. Only one comment was received and no responsiveness summary was prepared.

TIME LINE

DATE ACTION TAKEN: June 24, 1999

Enforcement Order Issued: June 25, 1999 - Fact Sheet mailed re: Enforcement Order
Thirty day comment period (6/25 – 7/26/99).

July 1, 1999: Legal Notice published in Davenport Times re: Enforcement Order &
comment period.

July 30, 1999: Draft Work Plan submitted to Ecology describing work to be performed
and schedule for Remedial Investigation.

September 15, 1999: Final RI Work Plan submitted to Ecology for approval.

September 30, 1999 through December 1, 1999: Remedial Investigation Field Activities.

January 21, 2000: Draft RI Report submitted to Ecology for review.

February 28, 2000: Ecology comments on Draft RI Report.

March 20, 2000: Final RI Report submitted Ecology for approval.

April 9, 2000:

APPENDIX A

CURRENT MAILING LIST – PRICELESS GAS

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APPENDIX B

ENFORCEMENT ORDER NO. DE 99-TC-E102 FACT SHEETS AND LEGAL NOTICES

APPENDIX C **GLOSSARY**

Agreed Order: A legal document issued by Ecology, which formalizes an agreement between the department and potentially liable persons (PLPs) for the actions needed at a site. An agreed order is subject to public comment. If an order is substantially changed, an additional comment period is provided.

Applicable State and Federal Law: All legally applicable requirements and those requirements that Ecology determines are relevant and appropriate requirements.

Area Background: The concentrations of hazardous substances that are consistently present in the environment in the vicinity of a site which are the result of human activities unrelated to releases from that site.

Carcinogen: Any substance or agent that produces or tends to produce cancer in humans.

Chronic Toxicity: The ability of a hazardous substance to cause injury or death to an organism resulting from repeated or constant exposure to the hazardous substance over an extended period of time.

Cleanup: The implementation of a cleanup action or interim action.

Cleanup Action: Any remedial action, except interim actions, taken at a site to eliminate, render less toxic, stabilize, contain, immobilize, isolate, treat, destroy, or remove a hazardous substance that complies with cleanup levels; utilizes permanent solutions to the maximum extent practicable; and includes adequate monitoring to ensure the effectiveness of the cleanup action.

Cleanup Action Plan: A document, which identifies the cleanup action and specifies cleanup standards and other requirements for a particular site. After completion of a comment period on a Draft Cleanup Action Plan, Ecology will issue a final Cleanup Action Plan.

Cleanup Level: The concentration of a hazardous substance in soil, water, air or sediment that is determined to be protective of human health and the environment under specified exposure conditions.

Cleanup Process: The process for identifying, investigating, and cleaning up hazardous waste sites.

Consent Decree: A legal document approved and issued by a court, which formalizes an agreement reached between the state and potentially liable persons (PLPs) on the actions

needed at a site. A decree is subject to public comment. If a decree is substantially changed, an additional comment period is provided.

Containment: A container, vessel, barrier, or structure, whether natural or constructed, which confines a hazardous substance within a defined boundary and prevents or minimizes its release into the environment.

Contaminant: Any hazardous substance that does not occur naturally or occurs at greater than natural background levels.

Enforcement Order: A legal document, issued by Ecology, requiring remedial action. Failure to comply with an enforcement order may result in substantial liability for costs and penalties. An enforcement order is subject to public comment. If an enforcement order is substantially changed, an additional comment period is provided.

Environment: Any plant, animal, natural resource, surface water (including underlying sediments), ground water, drinking water supply, land surface (including tidelands and shorelands) or subsurface strata, or ambient air within the state of Washington.

Exposure: Subjection of an organism to the action, influence or effect of a hazardous substance (chemical agent) or physical agent.

Exposure Pathways: The path a hazardous substance takes or could take from a source to an exposed organism. An exposure pathway describes the mechanism by which an individual or population is exposed or has the potential to be exposed to hazardous substances at or originating from the site. Each exposure pathway includes an actual or potential source or release from a source, an exposure point, and an exposure route. If the source exposure point differs from the source of the hazardous substance, exposure pathway also includes a transport/exposure medium.

Facility: Any building, structure, installation, equipment, pipe or pipeline (including any pipe into a sewer or publicly-owned treatment works), well, pit, pond, lagoon, impoundment, ditch, landfill, storage container, motor vehicle, rolling stock, vessel, or aircraft, or any site or area where a hazardous substance, other than a consumer product in consumer use, has been deposited, stored, disposed of, placed, or otherwise come to be located.

Feasibility Study (FS): A study to evaluate alternative cleanup actions for a site. A comment period on the draft report is required. Ecology selects the preferred alternative after reviewing those documents.

Free Product: A hazardous substance that is present as a nonaqueous phase liquid (that is, liquid not dissolved in water).

Groundwater: Water found beneath the earth's surface that fills pores between materials such as sand, soil, or gravel. In aquifers, groundwater occurs in sufficient quantities that it can be used for drinking water, irrigation, and other purposes.

Hazardous Sites List: A list of sites identified by Ecology that requires further remedial action. The sites are ranked from 1 to 5 to indicate their relative priority for further action.

Hazardous Substance: Any dangerous or extremely hazardous waste as defined in RCW 70.105.010 (5) (any discarded, useless, unwanted, or abandoned substances including, but not limited to, certain pesticides, or any residues or containers of such substances which are disposed of in such quantity or concentration as to pose a substantial present or potential hazard to human health, wildlife, or the environment because such wastes or constituents or combinations of such wastes; (a) have short-lived, toxic properties that may cause death, injury, or illness or have mutagenic, teratogenic, or carcinogenic properties; or (b) are corrosive, explosive, flammable, or may generate pressure through decomposition or other means,) and (6) (any dangerous waste which (a) will persist in a hazardous form for several years or more at a disposal site and which in its persistent form presents a significant environmental hazard and may affect the genetic makeup of man or wildlife; and is highly toxic to man or wildlife; (b) if disposed of at a disposal site in such quantities as would present an extreme hazard to man or the environment), or any dangerous or extremely dangerous waste as designated by rule under Chapter 70.105 RCW: any hazardous substance as defined in RCW 70.105.010 (14) (any liquid, solid, gas, or sludge, including any material, substance, product, commodity, or waste, regardless of quantity, that exhibits any of the characteristics or criteria of hazardous waste as described in rules adopted under this chapter,) or any hazardous substance as defined by rule under Chapter 70.105 RCW; petroleum products.

Hazardous Waste Site: Any facility where there has been a confirmation of a release or threatened release of a hazardous substance that requires remedial action.

Independent Cleanup Action: Any remedial action conducted without Ecology oversight or approval, and not under an order or decree.

Initial Investigation: An investigation to determine that a release or threatened release may have occurred that warrants further action.

Interim Action: Any remedial action that partially addresses the cleanup of a site.

Mixed Funding: Any funding, either in the form of a loan or a contribution, provided to potentially liable persons from the state toxics control account.

Model Toxics Control Act (MTCA): Washington State's law that governs the investigation, evaluation and cleanup of hazardous waste sites. Refers to RCW 70.105D.

It was approved by voters at the November 1988 general election and known as Initiative 97. The implementing regulation is WAC 173-340.

Monitoring Wells: Special wells drilled at specific locations on or off a hazardous waste site where groundwater can be sampled at selected depths and studied to determine the direction of groundwater flow and the types and amounts of contaminants present.

Natural Background: The concentration of hazardous substance consistently present in the environment, which has not been influenced by localized human activities.

National Priorities List (NPL): EPA's list of hazardous waste sites identified for possible long-term remedial response with funding from the federal Superfund trust fund.

Owner or Operator: Any person with any ownership interest in the facility or who exercises any control over the facility; or in the case of an abandoned facility, any person who had owned or operated or exercised control over the facility any time before its abandonment.

Polynuclear Aromatic Hydrocarbon (PAH): A class of organic compounds, some of which are long lasting and carcinogenic. These compounds are formed from the combustion of organic material and are ubiquitous in the environment. PAHs are commonly formed by forest fires and by the combustion of fossil fuels.

Potentially Liable Person (PLP): Any person whom Ecology finds, based on credible evidence, to be liable under authority of RCW 70.105D.040.

Public Notice: At a minimum, adequate notice mailed to all persons who have made a timely request of Ecology and to persons residing in the potentially affected vicinity of the proposed action; mailed to appropriate news media; published in the local (city or county) newspaper of largest circulation; and opportunity for interested persons to comment.

Public Participation Plan: A plan prepared under the authority of WAC 173-340-600 to encourage coordinated and effective public involvement tailored to the public's needs at a particular site.

Recovery By-Products: Any hazardous substance, water, sludge, or other materials collected in the free product removal process in response to a release from an underground storage tank.

Release: Any intentional or unintentional entry of any hazardous substance into the environment, including, but not limited to, the abandonment or disposal of containers of hazardous substances.

Remedial Action: Any action to identify, eliminate, or minimize any threat posed by hazardous substances to human health or the environment, including any investigative and monitoring activities of any release or threatened release of a hazardous substance and any health assessments or health effects studies.

Remedial Investigation: A study to define the extent of problems at a site. When combined with a study to evaluate alternative cleanup actions it is referred to as a Remedial Investigation/Feasibility Study (RI/FS). In both cases, a comment period on the draft report is required.

Responsiveness Summary: A compilation of all questions and comments to a document open for public comment and their respective answers/replies by Ecology. The Responsiveness Summary is mailed, at a minimum, to those who provided comments and its availability is published in the Site Register.

Risk Assessment: The determination of the probability that a hazardous substance, when released into the environment, will cause an adverse effect in exposed humans or other living organisms.

Sensitive Environment: An area of particular environmental value, where a release could pose a greater threat than in other areas including: wetlands; critical habitat for endangered or threatened species; national or state wildlife refuge; critical habitat, breeding or feeding area for fish or shellfish; wild or scenic river; rookery; riparian area; big game winter range.

Site: See Facility.

Site Characterization Report: A written report describing the site and nature of a release from an underground storage tank, as described in WAC 173-340-450 (4) (b).

Site Hazard Assessment (SHA): An assessment to gather information about a site to confirm whether a release has occurred and to enable Ecology to evaluate the relative potential hazard posed by the release. If further action is needed, an RI/FS is undertaken.

Site Register: Publication issued every two weeks of major activities conducted statewide related to the study and cleanup of hazardous waste sites under the Model Toxics Control Act. To receive this publication, please call (360) 407-7200.

Surface Water: Lakes, rivers, ponds, streams, inland waters, salt waters, and all other surface waters and water courses within the state of Washington or under the jurisdiction of the state of Washington.

TCP: Toxics Cleanup Program at Ecology

Total Petroleum Hydrocarbons (TPH): A scientific measure of the sum of all petroleum hydrocarbons in a sample (without distinguishing one hydrocarbon from another). The “petroleum hydrocarbons” include compounds of carbon and hydrogen that are derived from naturally occurring petroleum sources or from manufactured petroleum products (such as refined oil, coal, and asphalt).

Toxicity: The degree to which a substance at a particular concentration is capable of causing harm to living organisms, including people, plants and animals.

Underground Storage Tank (UST): An underground storage tank and connected underground piping as defined in the rules adopted under Chapter 90.76 RCW.

Washington Ranking Method (WARM): Method used to rank sites placed on the hazardous sites list. A report describing this method is available from Ecology.